

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Name and address of Plaintiff:

Anthony Eaves, Torrance State Hospital  
P.O. Box 111  
Torrance, PA 15779

v.

Full name, title, and business address  
of each defendant in this action:

6. Mr. Shalek - correctional officer  
950 Second Avenue  
Pittsburgh, Pa 15219

7. Keefe Commissary  
950 Second Avenue  
Pittsburgh, PA 15219

5. Presbyterian Hospital  
200 Lothrop Street  
Pittsburgh, Pa 15213

Use additional sheets, if necessary  
Number each defendant.

Plaintiff brings this action against the above named and identified defendants on the following cause of action:

- I. Where are you now confined? Torrance State Hospital  
What sentence are you serving? —  
What court imposed the sentence? —

II. Previous Lawsuits

- A. Describe any and all lawsuits in which you are a plaintiff which deal with the same facts involved in this action. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit

Plaintiffs Anthony Eaves

Defendants Mark Shalek, Presbyterian Hospital, Monica

Cwynar, —

2. Court (if federal court, name the district; if state court, name the county) and docket number  
Western District of Pennsylvania U.S. District Court 13-cv-409

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RECEIVED

JUL - 3 2017

CLERK, U.S. DISTRICT COURT  
WEST. DIST. OF PENNSYLVANIA

Name and address of Plaintiff:

Anthony Eaves, Torrance State Hospital  
P.O. Box 111  
Torrance, Pa. 15779

v.

Full name, title, and business address  
of each defendant in this action:

1. Mr. Frank Walker - Attorney  
428 Forbes Avenue, Suite 1800  
Pittsburgh, Pa. 15219

3. Allegheny County District Attorney Office  
Suite 303, 436 Grant Street  
Pittsburgh, PA 15219

2. Monica Cwynar - Psychologist  
950 Second Avenue  
Pittsburgh, Pa. 15219

4. Allegheny County Jail  
950 Second Avenue  
Pittsburgh, Pa. 15219

Use additional sheets, if necessary  
Number each defendant.

Plaintiff brings this action against the above named and identified defendants on the following cause of action:

- I. Where are you now confined? \_\_\_\_\_  
What sentence are you serving? \_\_\_\_\_  
What court imposed the sentence? \_\_\_\_\_

II. Previous Lawsuits

- A. Describe any and all lawsuits in which you are a plaintiff which deal with the same facts involved in this action. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit

Plaintiffs Anthony Eaves

Defendants Frank C. Walker

2. Court (if federal court, name the district; if state court, name the county) and docket number  
Western District of Pennsylvania 16-cv-69

3. Name of judge to whom case was assigned Honorable Kelly
4. Disposition (For example: Was the case dismissed? Was it appealed? Is it still pending?)  
Case is closed and dismissed

5. Approximate date of filing lawsuit March 1, 2013

6. Approximate date of disposition September 2013

- B. Prior disciplinary proceedings which deal with the same facts involved in this action:

Where? \_\_\_\_\_  
 When? \_\_\_\_\_  
 Result: \_\_\_\_\_

- III. What federal law do you claim was violated? Amendment 8  
Amendment 9, Jail Time Credit,

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheet if necessary.)

- A. Date of event: June 11, 2008; June 27, 2008
- B. Place of event: Allegheny County Jail, Allegheny County Courthouse
- C. Persons involved--name each person and tell what that person did to you: Mr. Frank Walker told me directly that Drugs or felony or Assault wouldn't be apart of my plea bargain that I was accepting. However 2 Assaults and drug possession with Intent to Deliver was afterwards made apart of the plea bargain I had accepted. I was assaulted about 16 days prior to accepting my plea bargain. I had been knocked out and unconscious because C.O. Mark Sholek put a "hit out" on me and slandering me of stealing hard candy called fire balls from a white male's cell. I was wearing a walkman and Koss headphones purchased from Keefe Commissary when two white males allegedly assaulted me. The electricity and batteries in the walkman caused me to be unconscious. Monica Cwynar visited me after the incident on Pod 4A and she explained to me that Mr. Sholek put a hit out on you and he claims you robbed a cell and took hard candy called fire balls. I claim that I was released/discharged from Presbyterian Hospital without any conversation between me and Nurses and Doctors. I didn't receive any remedy for treatment. The walkman, Headphones, and batteries was purchased from Keefe Commissary.

5. Approximate date of filing lawsuit: January 14, 2016

6. Approximate date of disposition August 8, 2016

Where? \_\_\_\_\_  
When? \_\_\_\_\_  
Result: \_\_\_\_\_  
\_\_\_\_\_

III. What federal law do you claim was violated? \_\_\_\_\_

(State here as briefly as possible the facts of your case. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheet if necessary.)

A. Date of event: \_\_\_\_\_

B. Place of event: \_\_\_\_\_

C. Persons involved--name each person and tell what that person did to you:

[illegible]

- I sustained hidden injury which consist of a concussion, memory loss, fractured/broken nose, back pain, arthritis, and inflammation.
2. On June 27, 2008 as part of a plea bargain I was supposed to receive credit for each day I was incarcerated. Unfortunately I wasn't credited for about 105 days I served in the Allegheny County Jail.
3. I claim I'm suffering from hidden injury which tolls the statute of limitation from 2 years to 10 years, in which I have to file a complaint.
4. Christopher Avetta was the district attorney during my Sentencing Hearing 6-27-2008.

V. Did the incident of which you complain occur in an institution or place of custody in this District?  
If so, where?

Allegheny County Jail, Allegheny County Courthouse

and answer the following questions:

- A. Is there a prisoner grievance procedure in this institution?  
Yes ☒ No ☐
- B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?  
Yes ☐ No ☒
- C. If your answer is YES,
1. What steps did you take? \_\_\_\_\_
2. What was the result? \_\_\_\_\_
- D. If your answer is NO, explain why not: I was not mentally capable of filing a grievance and I didn't have all the facts regarding this incident.
- E. If there is no prison grievance procedure in the institution, did you complain to prison authorities?  
Yes ☐ No ☐
- F. If your answer is YES,
1. What steps did you take? \_\_\_\_\_
2. What was the result? \_\_\_\_\_

VI. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I seek \$10,000,000.00.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

June 11, 2017  
(Date)

Anthony Eaves  
(Signature of Plaintiff)